

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DARIA THOMAS, on behalf of herself and others
similarly situated in the proposed FLSA
Collective Action,

Plaintiff,

-v-

ARTS IN COMMON LLC and RAFAEL BACCUS

Defendants.

CIVIL ACTION NO.: 21 Civ. 6948 (SLC)

**ORDER TO SUBMIT SETTLEMENT
MATERIALS**

SARAH L. CAVE, United States Magistrate Judge.

On February 18, 2022, the parties consented to the jurisdiction of a United States Magistrate Judge for all purposes. (ECF No. 36).

This case contains one or more claims arising under the Fair Labor Standards Act. In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint Letter-Motion that addresses whether the settlement is fair and reasonable.

The parties must file their Letter-Motion by **March 18, 2022**, and should address the claims and defenses, the Defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the Plaintiff's case and the Defendants' defenses, any other factors that justify the discrepancy between the potential value of Plaintiff's claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended (including billing records and costs documentation). Finally, a copy of the settlement agreement itself must accompany the joint Letter-Motion.

Dated: New York, New York
March 4, 2022

SO ORDERED



SARAH L. CAVE
United States Magistrate Judge